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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

[PROPOSED] ORDER DENYING DEFENDANT'S MOTION TO FILE DOCUMENTS UNDER SEAL
IN CONNECTION WITH GOOGLE INC.'S SUPPLEMENTAL REPLY

1 Defendant Google Inc. has made an Administrative Motion for Leave to File Documents
2 Under Seal. The Court has duly considered the submissions and arguments of counsel for both
3 parties and finds that there is no good cause to grant Google's request to file Google Inc.'s Reply
4 to Plaintiffs' Supplemental Opposition to Google Inc.'s Motion for Summary Judgment under
5 seal. Nor has Defendant made the requisite showing with respect to Exhibits A - C of the
6 Supplemental Declaration of M. Christopher Jhang in Support of Google, Inc.'s Reply to
7 Plaintiffs' Supplemental Opposition to Google Inc.'s Motion for Summary Judgment. Google
8 has not shown that it possesses overriding confidentiality interests that overcome the right of
9 public access to the record nor to support sealing the record. Nor has Google shown that it is
10 likely to be prejudiced nor irreparably harmed. Google's requested sealing is not narrowly
11 tailored, it does not comport with the parties' confidentiality stipulation and there are less
12 restrictive means to achieve any confidentiality interests.

13 IT IS THEREFORE ORDERED that Google's Administrative Motion for Leave to File
14 Documents Under Seal in Connection with Google Inc.'s Reply to Plaintiffs' Supplemental
15 Opposition to Google Inc.'s Motion for Summary Judgment is DENIED.

17 || IT IS SO ORDERED.

19 | Dated: May __, 2007

The Honorable James Ware
United States District Court Judge

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